

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE (PORTLAND)

In re:  GLENN E. FARRAR, JR.,  Debtor.	Chapter 13 Case No. 24-20259-PGC
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**OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN**

NOW COMES U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust as serviced by SN Servicing Corporation (“**U.S. Bank Trust**”) and objects to confirmation of the Chapter 13 plan of Glenn E. Farrar, Jr. (the “**Debtor**”). In support of its objection to confirmation, U.S. Bank Trust states as follows:

**Statement of Material Facts**

1. On September 26, 2002, the Debtor executed a promissory note in favor of First Horizon Home Loan Corporation for a loan in the amount of \$65,700.00 (the “**Note**”).
2. On September 26, 2002, as security for his obligations under the Note, the Debtor granted a mortgage (the “**Mortgage**”) on certain real property known as and numbered 100 Gary Street, South Paris, Maine (the “**Property**”) which was recorded in the Oxford County Registry of Deeds in Book 3174, at Page 180 on October 2, 2002.
3. The Note and the Mortgage for the Property have been assigned to U.S. Bank Trust.

### **Bankruptcy Petition**

4. On December 12, 2024, the Debtor filed a voluntary Chapter 13 petition with this Court, commencing the above-captioned case. Doc. No. 1.

5. U.S. Bank Trust alleges that the Debtor owes pre-petition arrears under the note and mortgage totaling approximately \$30,046.07. The total debt is approximately \$140,770.82. By filing this objection, U.S. Bank Trust hereby sets forth its demand for payment and intent to hold the Debtor liable for the debt.

6. The deadline for non-governmental proofs of claim to be filed with this Court is February 20, 2025.

7. On December 13, 2024, the Debtor filed a Chapter 13 plan (the “**Plan**”). Doc. No. 3. Pursuant to the Plan, the Debtor proposes to maintain post-petition payments sent directly to U.S. Bank Trust via SN Servicing Corporation and proposes to pay \$2,913.00 in pre-petition arrears. Id.

8. Further, Part 8.1 of the Plan states that “Debtor was granted a loan modification with SN Servicing. SN rejected 3 payments. Debtor assumes modification and will repay rejected payments.” Id.

### **Grounds for Objection to Plan**

9. U.S. Bank Trust objects to the proposed treatment as the Plan fails to provide for U.S. Bank Trust’s entire pre-petition arrearage as required by 11 U.S.C. § 1325(a)(5)(B)(iii)(II).

10. U.S. Bank Trust further objects to the Plan as it refers to the Debtor “assuming” a loan modification that was never finalized. The Debtor and SN Servicing

Corporation entered into a Trial Modification which started on May 1, 2024. The Trial was cancelled on September 16, 2024 due to the Debtor defaulting on trial plan payments. The cancellation was never appealed by the Debtor. Any payments sent in after the modification process was cancelled would have been sent back as the loan would have been back in foreclosure status.

WHEREFORE, in light of the foregoing, U.S. Bank Trust respectfully requests that this Court enter an order:

- (a) Denying confirmation of the Debtor's Chapter 13 plan; and
- (b) Granting U.S. Bank Trust such other and further relief as is just and proper.

Respectfully submitted,

U.S. Bank Trust National Association, as  
Trustee of FW-BKPL Series I Trust as  
serviced by SN Servicing Corporation,

By its attorneys,  
Demerle & Associates PC,

/s/ Jennifer Joubert

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DATE: January 2, 2025

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**CERTIFICATE OF SERVICE**

I, Jennifer Joubert, Esq. of the law firm of Demerle & Associates PC, hereby certify that I have this 2th day of January 2025 served on behalf of U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust as serviced by SN Servicing Corporation an Objection to Confirmation of Chapter 13 Plan and this Certificate of Service by causing copies hereof to be sent by electronic mail via the Case Management / Electronic Case Files (ECF) system and by private electronic mail to all parties not appearing electronically but entitled to service per the Federal Rules of Bankruptcy Procedure.

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/s/ Jennifer Joubert  
Jennifer Joubert, Esq.